



**SUFFOLK COUNTY
SHELLFISH AQUACULTURE LEASE PROGRAM
COMBINED LEASE TERMINATION APPLICATION
& FINAL LEASEHOLDER ANNUAL REPORT FORM**

This is an application for Leaseholders who wish to terminate their shellfish aquaculture lease agreement with Suffolk County prior to the lease term expiration date. Please fill out and sign this form only if you wish to terminate your lease agreement with the County.

Prior to submitting the Combined Lease Termination Application & Final Leaseholder Annual Report Form (Termination Application) the leaseholder is responsible for removing all shellfish aquaculture equipment from the leaseholder's respective lease site.

Mailing Instructions:

Provide a completed original copy of the Termination Application to the Suffolk County Division of Planning and Environment at the address listed below.

SUFFOLK COUNTY DEPT. ECONOMIC DEVELOPMENT & PLANNING
DIVISION OF PLANNING & ENVIRONMENT
H. Lee Dennison Bld. – 4th Floor
P.O. Box 6100
Hauppauge, NY 11788-009
ATTN: Ms. Susan Filipowich

DESCRIPTION OF THE LEASE TERMINATION APPLICATION PROCESS

The following information summarizes the process leading to the Termination of a Shellfish Aquaculture Lease Agreement.

1. **Removal of Aquaculture Gear:** Prior to submitting a Termination Application the leaseholder is responsible for removing all shellfish aquaculture equipment from the lease site area.
2. **Lease Termination Application:** Complete this Termination Application in its entirety, reporting all activities that took place on the lease site prior to requesting this termination. Submit the completed Termination Application to the Department of Economic Development and Planning, Division of Planning and Environment.
3. **Preparation of Lease Termination document:** Once the County has received and reviewed this Termination Application, staff will prepare the required termination documents and send a draft copy to the leaseholder to review. Leaseholders will have the option of either scheduling an appointment with staff to come to the Division of Planning and Environment to sign their termination documents; or they may request to have their termination documents mailed to them. Please be advised, leaseholders who choose to have their termination documents mailed to them are responsible for having a Notary Public notarize their signature on those termination documents, prior to returning them to the County for final execution.
4. **Lease Termination:** Once the termination document has been executed by the County, an original copy of the termination document will be sent to the former leaseholder for his/her/it's records. Upon execution of the Lease Termination document, leaseholders shall no longer be able to conduct any type of shellfish aquaculture activities on the former lease site. Leaseholders will not be liable for annual lease rental fees for the remainder of the lease term once the lease has been terminated.

**SHELLFISH AQUACULTURE LEASE PROGRAM
COMBINED LEASE TERMINATION APPLICATION & FINAL
LEASEHOLDER ANNUAL REPORT FORM**

Leaseholder's Contact Information

Name of Leaseholder: _____

Mailing Address: _____

Street Address: _____

City, County: _____

State, Zip: _____

Telephone: business _____ home _____ cell _____

Email address: _____

Lease Term: _____

Aquaculture Lease Sites map ID#: _____ Total Lease Acreage: _____

Location of lease site: _____
(town) (waterbody)

Lease Type:

☐ Commercial ☐ Experimental/Educational ☐ Resource Restoration

Type of Culture Operation:

☐ ON-BOTTOM ☐ OFF-BOTTOM ☐ ON/OFF-BOTTOM

List of Species Previously Cultivated:

☐ Eastern Oyster ☐ Razor Clam

☐ Hard Clam ☐ Bay Scallop

☐ Blue Mussel ☐ Other: _____

Shellfish Stock Source (Attach additional sheets if necessary):

	<u>Hatchery Name:</u>	<u>Location:</u>	<u># of Shellfish Purchased:</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

Aquaculture Gear Used (Attach additional sheets if necessary):

	<u>Gear Type:</u>	<u>Amount of Gear:</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____

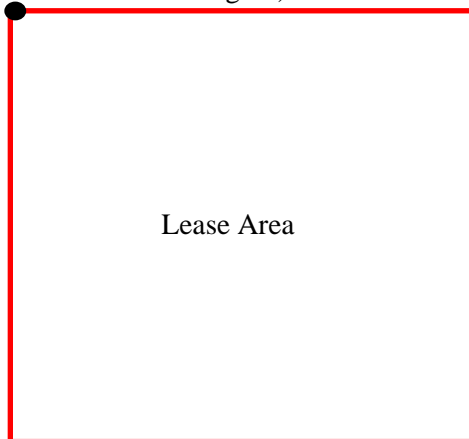
Purchased gear from business in: ☐ NY ☐ CT ☐ MA ☐ RI ☐ Other: _____

Year of most recent gear purchase: _____

Harvest Method:

Provide a brief description of equipment and show its approximate former location within the Lease Area using the following figure (oyster grant owners see attached figure):

NW Corner



Lease Area

Date of Equipment/Gear Removal: _____

Report the quantity of shellfish seed planted on the lease during this final reporting year:

# of Seed Planted	Shellfish Species Planted					
	Eastern Oyster	Hard Clam	Blue Mussel	Razor Clam	Bay Scallop	Other
0 - 50,000						
50,001 - 100,000						
100,001 - 250,000						
250,001 - 500,000						
500,001 - 1,000,000						
1,000,000 +						

Please check the appropriate ranges for each species

Report the quantity of shellfish harvested from the lease during this final reporting year:

# of Shellfish Harvested	Shellfish Species Harvested					
	Eastern Oyster	Hard Clam	Blue Mussel	Razor Clam	Bay Scallop	Other
0 - 50,000						
50,001 - 100,000						
100,001 - 250,000						
250,001 - 500,000						
500,001 - 1,000,000						
1,000,000 +						

Please check the appropriate ranges for each species

Date of Last Harvest: _____

Provide a brief description of the typical shellfish aquaculture activities that took place on the lease site, including activities conducted to maintain shellfish products and your aquaculture equipment (Attach additional sheets if necessary):

Describe predator control measures, if any, previously conducted on the lease site:

Total number of employees, including yourself, who worked on the Lease Site: _____

Approximately, how much time did each employee work on the lease site (i.e., hours/day and days/week or month): _____

Product Distribution Area (check all that apply): Product Distribution Type (check all that apply):

☐ Nassau/Suffolk

☐ Direct Sale to Consumer

☐ New York City

☐ Wholesale

☐ NYS (outside Metropolitan area)

☐ Retail

☐ Out of State

☐ Restaurants/Boutiques/Wineries

☐ Other: _____
(please specify)

☐ Other: _____
(please specify)

Please provide an explanation for requesting a lease termination:

(Attach additional information if necessary)

Has the lessee or sublessee ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?

☐ Yes

☐ No

If the lessee or the sublessee is a *corporation*, has the corporation or any officer, director or shareholder ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?

☐ Yes

☐ No

☐ N/A

If the lessee or the sublessee is a *LLC*, has the LLC or any member ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?

☐ Yes ☐ No ☐ N/A

If the lessee or the sublessee is a *partnership*, has the partnership or either partner ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?

☐ Yes ☐ No ☐ N/A

If yes, please explain: _____

I understand that by submitting this Lease Termination Application, I am applying to terminate all of my rights and privileges granted to me by the *Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay*, Shellfish Aquaculture Lease Agreement. Once the Termination document has been executed, I will no longer be authorized to conduct shellfish aquaculture at Lease Site _____ under a Lease with the County of Suffolk. I hereby certify that all equipment which was installed within the boundaries of the leased area has been removed. I hereby state that the information included in this form is true and correct.

Name of Leaseholder: _____

Print Name of Signer: _____

Title of Signer: _____

Signature: _____ **Date:** _____

The Termination Application must be executed by an authorized party. If the Leaseholder is a corporation, the form should be signed by an officer and a certified, duly-adopted corporate resolution authorizing the application should be attached. If the Leaseholder is a LLC, the form should be signed by a managing member, or a manager or other principal authorized to sign this Application. If the Leaseholder is a partnership, the form should be signed by a partner.

McKinney's Penal Law § 175.35 Offering a false instrument for filing in the first degree

A person is guilty of offering a false instrument for filing in the first degree when, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation.

Offering a false instrument for filing in the first degree is a class E felony.

McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree

A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become part of the records of such public office or public servant.

Offering a false instrument for filing in the second degree is a class A misdemeanor.